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April 24, 2009

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

This memorandum contains a summary of recent committee hearings on the next State Medicaid waiver, a pursuit of County position on a bill relating to the State Enterprise Zone Program, the status of three County-advocacy bills, a description of a bill of County-interest relating to the California False Claims Act, and a roster containing the status of all County-advocacy bills.

Hearings on the Next State Medicaid Waiver

AB 342 (Bass and Jones) and SB 208 (Steinberg), which would direct the California Department of Health Care Services (CDHCS) to develop a Medicaid waiver for the State's Medi-Cal Program and submit the waiver for Federal approval by September 1, 2010, were heard in the Assembly Health and Senate Health Committees on April 21 and 22, 2009, respectively. AB 342 and SB 208 are spot bills, which the authors intend to amend to include the details of the proposed waiver following stakeholder meetings expected to begin in early summer. Both bills passed unanimously, and now proceed to their respective Appropriations Committees.

California's current Hospital Financing Waiver, which provides Federal funding to the State's public and private Disproportionate Share Hospitals (DSH), expires in August, 2010. Mr. Toby Douglas, Chief Deputy Director for CDHCS, reported that the Administration is working with the legislative leadership to craft a new, comprehensive

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waiver that would expand coverage to the uninsured population. According to Mr. Douglas, the Governor and the legislative leaders expect California's next waiver to: 1) strengthen the safety net health system; 2) expand coverage; 3) leverage additional Federal funding; and 4) improve health care quality and outcomes. Representatives of the DSH Task Force testified that it is committed to working with the Administration and the Legislature on the next waiver, and explained that the DSH Program and supplemental payments to DSH hospitals have been the underlying support that has kept safety net hospitals open.

During the Assembly Health Committee hearing, Assembly Member Hector De La Torre indicated that he wants to ensure that DSH hospitals are not leveraged in the next waiver in order to expand coverage to the uninsured. Instead, California should negotiate for additional Federal funding for that purpose and to secure the best deal possible given the new Administration in Washington.

The County's Sacramento advocates and representatives from the Department of Health Services will be participating in the upcoming stakeholder meetings and negotiations.

Pursuit of County Position on Legislation

AB 1139 (John A. Perez), as amended on April 13, 2009, would make various changes to existing law regarding the State Enterprise Zone Program, including: 1) eliminating retroactive tax credit vouchering; 2) canceling the use of the Targeted Employment Area (TEA) and Targeted Tax Area residency as an employee eligibility criteria; 3) requiring the eligible employee to work a minimum of 35 hours per week and be provided with at least 80 percent of specified health care coverage by the employer; and 4) adding annual reporting requirements for Enterprise Zone businesses.

Under existing law, businesses within a State Enterprise Zone can apply to the local jurisdiction administering the zone for hiring tax credit vouchers, which employers can apply towards their taxable income for activities within the Enterprise Zone. There are 11 categories under which an employer can claim hiring tax credit voucher eligibility for its employees. One of the eligibility categories is an employee's residency in a TEA, which is composed of a jurisdiction's census tracts that have at least 51 percent of residents of low or moderate-income levels.

Under current law, hiring tax credit vouchers are not limited to full-time employees (35 hours per week), nor is it stipulated that employers provide health care coverage to employees. In addition, Enterprise Zone businesses are able to apply for hiring tax credit vouchers at any time (only constrained by the allowable timeframe to amend their past years' tax returns). Furthermore, Enterprise Zone businesses do not have any

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zone-specific reporting requirements other than tax-related record-keeping and reporting as required by the Franchise Tax Board.

The Community Development Commission (CDC) indicates that AB 1139 would drastically reduce the number of hiring tax credit vouchers that are issued to local businesses by eliminating the TEA hiring credit criteria. According to the California Association of Enterprise Zones, over 90 percent of all hiring tax credit vouchers issued Statewide fall under the TEA qualification, which specifically targets hiring of those who live in low-income areas and who might otherwise have difficulty finding employment.

In addition, the requirement that employees work at least 35 hours a week and that the employer must provide at least 80 percent of the costs of health care coverage reduces the likelihood that an employer would take advantage of the Enterprise Zone Program benefits. While many businesses want to provide health care coverage for their employees, many may be faced with the choice of employee health care versus remaining in business.

AB 1139 also would limit the ability of an employer to apply for a hiring tax credit voucher by requiring the application within 21 days of the hiring date of the qualified employee. Many times employers apply for hiring tax credit vouchers in batches, sometimes comprising more than one calendar year. Businesses may collect and submit data to the local Enterprise Zone manager once, or a few times per year, and not after every new hire.

Finally, the bill would impose costly and burdensome reporting requirements on employers. If the costs of participating in the program outweigh the benefits, there will be no incentive for the businesses to locate or maintain their operations in the zones. According to CDC, other states are aggressively pursuing California companies, and adding to the costs of doing business would put the State at an even greater competitive disadvantage. The immediate fiscal impact of AB 1139 on CDC cannot be determined at this time, but the impact to local businesses in the County would be the effective elimination of this tax credit program.

The Community Development Commission and this office oppose AB 1139 because it would eliminate many of the benefits of the State Enterprise Zone Program by reducing incentives for businesses to maintain and expand their operations in economically distressed areas. Consistent with existing Board policy to support legislation that will preserve, expand, and extend designations for the State Enterprise Zone Program for urban areas and protect the County's fiscal base and revenues, **the Sacramento advocates will oppose AB 1139.**

According to the CDC, the bill is sponsored by the author. Support and opposition for AB 1139 is currently unknown. This measure is scheduled for a hearing in

the Assembly Jobs, Economic Development and the Economy Committee on April 29, 2009.

Status of County-Advocacy Legislation

County-opposed AB 1141 (Calderon), which would have prohibited a city, county, or other public agency from adopting, implementing, or enforcing specified related ordinances, resolutions, or rules that prohibit the use, import, sale, or distribution of a single-use carryout bag, and make other related changes regarding single-use carryout bags, was amended on April 13, 2009.

The amendment removes the provision that prohibits local governments from banning or restricting plastic and paper carryout bags and instead requires jurisdictions that ban plastic and/or paper carryout bags to provide alternatives to a single-use carryout bag. However, “alternatives” is not defined and the Department of Public Works is concerned that it would compel subject jurisdictions to provide free reusable bags to every consumer at the point of purchase, resulting in a significant financial impact on those jurisdictions that have banned single-use carryout bags and discouraging others from doing the same.

In addition, the bill now requires manufacturers to pay one-tenth of a cent (\$0.001) per bag fee into a fund for litter abatement and would bar jurisdictions that have single-use carryout bag bans from receiving any funds. Because this bill still infringes upon the County's local decision making authority to ban or impose a fee on single-use carryout bags, and is contrary to existing County policy to sponsor single-use carryout bag legislation that charges \$0.25 per bag at the point of transaction, **the Sacramento advocates will continue to oppose AB 1141**.

Support and opposition to AB 1141 regarding the latest amendment is currently unknown. This measure is set for a hearing on Monday, April 27, 2009, in the Assembly Natural Resources Committee.

County-supported SB 337 (Alquist), which, as introduced on February 25, 2009, would have repealed Medi-Cal semi-annual reporting and reinstated 12-month continuous eligibility for children under 19 years of age, was amended on April 22, 2009, to delete the Medi-Cal provisions. The bill now relates to the reporting requirements by a clinic, health facility, home health agency, or licensed hospice provider when a law enforcement agency is investigating the unlawful or unauthorized use, access or disclosure of patients' medical records. Under current law, these incidents must be reported to the State Department of Public Health no later than five business days upon detection of the occurrence. As amended, SB 337 specifies that a clinic, health facility, home health agency, or hospice shall delay the reporting requirement when notified by a law enforcement agency that reporting the incident

would impede an investigation and when the law enforcement agency provides a date which the delay shall end. **Therefore, the Sacramento advocates will remove support for SB 337 as amended on April 22, 2009, and take no position on the bill pending completion of an analysis of these amendments.**

County-opposed SB 531 (DeSaulnier), which would have established the Single-Use Carryout Bag Responsibility Act and required the suppliers of plastic or paper single-use carryout bags to remit a Single-Use Carryout Bag Responsibility Fee in the amount of one-tenth of a cent (\$0.001) for each bag supplied directly to a store, was amended on April 16, 2009 to delete the existing provisions and instead provide guidance to plastic bag manufacturers on the development of educational materials for plastic carryout bags. Because the amendments remove the objectionable provisions of the bill, **the Sacramento advocates will remove the County's opposition to SB 531 and take no position on the bill.**

Support and opposition to SB 531 regarding the latest amendment is currently unknown. This measure is set for a hearing on Monday, April 27, 2009, in the Senate Environmental Quality Committee.

Legislation of County Interest

AB 1196 (Blumenthal), as amended on April 15, 2009, would among its many provisions, amend the California False Claims Act (CFCA) to clarify certain key definitions in an effort to improve the ability of State and local authorities to recover government funds that are the subject of a false claim. The CFCA was created in 1987 to address the problem of companies or contractors who defraud State and local government of public funds by making false claims for payment or reimbursement of their services and, in most respects, tracks the Federal False Claims Act.

AB 1196 would clarify the definition of a false claim by stipulating that if the funds were appropriated, administered, expended or will be reimbursed directly or indirectly by the State, a claim for such funds is a "false claim." This definition would ensure that liability under the Act cannot be avoided by arguing that the funds used to pay the claim did not come directly from the State, but through some third party.

In addition, AB 1196 would clarify the definition of false claim to include false records or statements used to substantiate a claim. For example, a ruling in a recent court case seems to imply that a false document used to obtain a false claim is not itself a violation of the CFCA. When a false document, or 100 false documents, are used to substantiate payment of a false claim, there is only one violation and thus only one penalty plus treble damages. Under AB 1196, a false claim supported by 100 false documents would amount to 101 violations, thereby increasing the revenue to public entities from the prosecution of false claim cases.

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AB 1196 is supported by the Office of the Attorney General; the American Federation of State, County, and Municipal Employees; Consumer Attorneys of California; and Taxpayers Against Fraud. It is opposed by the Civil Justice Association of California; California Hospital Association (Oppose Unless Amended to clarify the effective date when the statute of limitations is to take effect); Engineering Contractors Association; California Fence Contractors Association; Marin Builders Association; and the California Chapter of the American Fence Contractors' Association.

AB 1196 passed the Assembly Judiciary Committee on April 21, 2009 by a vote of 8 to 0, and now proceeds to the Assembly Appropriations Committee. No hearing date has been set.

Master Bill List

A roster containing the status of all bills with a County advocacy position is attached.

We will continue to keep you advised.

WTF:GK:
MAL:MR:IGEA:sb

Attachment

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants

**COUNTY OF LOS ANGELES - CHIEF EXECUTIVE OFFICE
STATUS OF BILLS OF INTEREST TO THE COUNTY
2009-10 LEGISLATIVE SESSION**

These are bills we are pursuing in Sacramento pursuant to Board actions or as reported in bill policy memoranda.

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 12	Beall, Bass	Support in concept (Board Action: 3/17/09)	Would allow California to implement the State option to use Federal Title IV-E funds to extend foster care and Kin-GAP services to youth up to 21 years of age as provided under H.R. 6893, the Federal Fostering Connections to Success and Increasing Adoptions Act of 2008.	Assembly Appropriations
AB 23	Jones	No Position (State Update: 3/31/09)	NOW: Was amended on March 19, 2009, to delete the Medi-Cal provisions. The bill now proposes to require health plans, employers, and insurers to notify beneficiaries that H.R. 1, the American Recovery and Reinvestment Act, enhanced the Consolidated Omnibus Budget Reconciliation Act (COBRA) to provide Federal funds to pay 65 percent of the COBRA premium for eligible persons enrolled in a group health insurance plan who lose their job between September 1, 2008 and December 31, 2009. Under current law, COBRA-eligible employees must pay the full amount of the premium to retain enrollment in a health care plan offered by a former employer.	Senate Appropriations
AB 87	Davis	County-sponsored	PREVIOUSLY: Would have repealed current State law, which requires semi-annual reporting to maintain Medi-Cal eligibility for children and reinstitute 12-month continuous Medi-Cal eligibility for children under 19 years of age. This change is necessary to ensure that the State qualifies to receive the temporary increase in the Federal Medical Assistance Percentage (FMAP) pursuant to the recently enacted H.R. 1, the American Recovery and Reinvestment Act. AB 23, SBX3 26, and SB 337 have been introduced as potential vehicles to repeal the semi-annual reporting requirement in order for the State to be eligible to receive additional FMAP funding. Support (State Update: 3/6/09)	Assembly Appropriations

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 128	Coto	Opposed (State Update: 2/20/09)	Would extend the period after termination of employment that a retired public safety officer could file a workers' compensation claim for cancer and be entitled to a legal presumption that the cancer is job related. The presumption, which is currently three months for each year of service, would be extended to one year for each year of service. Existing law caps the presumption period at five years; AB 128 would remove this cap.	Assembly Insurance
AB 139	Brownley	County-sponsored	Would authorize the Los Angeles County Flood Control District to implement storm water fees, upon voter approval consistent with the requirements of Proposition 218 of 2006, to fund clean water programs.	Assembly Local Government
AB 215	Feuer, Smyth	Support (Board Action: 2/17/09)	Would require a long-term health care facility to post the overall facility rating information determined by the Federal Centers for Medicare and Medicaid Services, including the number of stars assigned to the facility out of a possible five stars. The overall Five Star Quality Rating is comprised of scores for health inspections, staffing, and how well the facility is caring for the physical and clinical needs of residents. The information would be required to be posted in an area accessible and visible to members of the public; the employee break room; and in common areas used by residents for dining, resident council meetings, or other activities.	Assembly Appropriations
AB 286	Salas, Jones	Support (State Update: 4/21/09)	Would extend until 2018 the authority for counties to impose an additional \$1.00 vehicle registration fee to be used for anti-vehicle theft programs. It also would add additional reporting requirements for those counties that adopt a resolution to impose the fee. Counties would be required to provide details of expenditures, including salaries and expenses, purchase of equipment and supplies, and any other expenditures to support the program.	Assembly Transportation
AB 383	Lieu	Support (State Update: 4/7/09)	Would extend the statute of limitations for the testing of biological evidence in sex crime cases from two years to five years, from the date of the offense.	Assembly Appropriations

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 410	De La Torre	Support and appropriate a minimum of \$20 million statewide for the preparation of the salt and nutrient management plans. (State Update: 4/16/09)	to amend the water needs from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to the State Department of Water Resources (DWR) for the preparation of salt and nutrient management plans consistent with the recycled water policy of the State Water Resources Control Board; 2) set a Statewide goal to recycle a total of 1.3 million acre-feet of water annually by the year 2020, and 2 million acre-feet of water per year by 2030; and 3) require DWR to assess progress toward meeting the recycled water goal every five years based on information provided in urban water management plans.	Would: 1) allocate \$5 million of the \$100 million available for multi-regional water needs from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to the State Department of Water Resources (DWR) for the preparation of salt and nutrient management plans consistent with the recycled water policy of the State Water Resources Control Board; 2) set a Statewide goal to recycle a total of 1.3 million acre-feet of water annually by the year 2020, and 2 million acre-feet of water per year by 2030; and 3) require DWR to assess progress toward meeting the recycled water goal every five years based on information provided in urban water management plans.
AB 421	Beall	Support (State Update: 4/7/09)	Would make California law consistent with Federal law to allow counties to place children served by the AB 3632 Program in out-of-state group homes that are operated as for-profit entities and receive payment for these placements.	Assembly Education
AB 664	Skinner	Oppose (State Update: 4/16/09)	Would expand the presumption of job-related injury to cover all hospital employees for blood-borne infectious disease, Methicillin-Resistant Staphylococcus Aureus and all neck and back injuries. This presumption would exist if the impairment develops or manifests itself during the period of employment with the hospital.	Assembly Insurance
AB 682	B. Lowenthal	Support (State Update: 4/16/09)	Would instruct the State Department of Health Care Services (DHCS) to dedicate an unspecified number of State staff to evaluate State and County implementation of In-Home Supportive Services (IHSS) Program quality assurance and fraud mitigation requirements in existing law, as well as to assess the extent and nature of the fraud currently detected.	Assembly Appropriations
AB 719	B. Lowenthal	Support (State Update: 4/1/09)	Would require the California Department of Social Services to create the Transitional Food Stamps for Foster Youth Program by July 1, 2010. Under AB 719, foster youth who are not eligible for CalWORKs or Supplemental Security Income would be automatically eligible to a 12-month Transitional Food Stamp benefits when they leave foster care. These youth would be exempt from any quarterly or semi-annual reporting requirements and from the fingerprint requirement during the 12-month Transitional Food Stamp certification period. The Department of Public Social Services would be responsible for administering the program.	Assembly Appropriations

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
AB 1048	Torrico	Oppose (State Update: 4/10/09)	Would: 1) raise the age at which a minor child can be surrendered from 72 hours or younger, to 30 days; 2) allow a local fire agency to designate safe surrender sites with the approval of the local governing body of the agency; 3) specify that persons at a safe surrender site have no liability prior to taking physical custody of a child; 4) require the California Department of Social Services to convene a workgroup to develop and disseminate regulations to clarify rules with respect to a mother who gives up her baby in a hospital, the definition of a safely surrendered baby, and parental information provided to, and received by counties; and 5) fund activities required by AB 1048 using State Children's Trust Fund and California Children and Families Proposition 10 Commission Funds.	Assembly Appropriations
AB 1141	Calderon	Oppose (State Update: 3/31/09)	Would make various changes to existing law regarding single-use carryout bags, including: 1) extending the sunset date, which prohibits local governments from imposing a fee on paper and plastic carryout bags from 2013 to 2017; 2) prohibiting local governments from banning or restricting plastic and paper carryout bags; 3) redefining reusable bags to include lighter weight plastic carryout bags; and 4) requiring plastic bag manufacturers to pay a single-use bag extended producer responsibility fee, in an undetermined amount, for each single-use carryout bag it sells to a store.	Assembly Natural Resources
AB 1187	Huffman, Caballero	Support and amend to make more funds available for project implementation and construction and increase the funding available to the Los Angeles County region. (State Update: 4/10/09)	Would enact the Safe, Clean, Reliable Drinking Water Supply Act of 2010, which would authorize the issuance of bonds in the amount of \$10.035 billion, subject to voter approval, to finance specified water supply reliability and water source protection programs, and require the establishment and imposition of a fee on water users.	Assembly Water, Parks and Wildlife
AJR 9	Pérez	Support (State Update: 3/16/09)	Would urge the Congress and President of the United States to enact legislation that would provide for a three-year extension of the Ryan White HIV/AIDS Treatment Modernization Act of 2006, from its current sunset on September 30, 2009 to September 30, 2012.	Senate Desk
SB 23	Padilla	Support (Board Action: 3/24/09)	Would require the operator of a mobile home park or manufactured housing community to develop and implement an emergency and fire safety plan, and provide appropriate emergency services training for park or community managers and on-site staff. The bill would also require the plan to be posted in manner accessible to all residents and to distribute copies to each resident upon approval of tenancy and annually thereafter.	Senate Transportation and Housing

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 29	Denham	Oppose (State Update: 2/27/09)	Would: 1) require the California Science Center to sell the parcel of land that the Los Angeles Memorial Coliseum and the Los Angeles Memorial Sports Arena (Sports Arena) occupy, and the State's share of the Sports Arena structure; 2) rescind the agreement that established the Los Angeles Memorial Coliseum Commission; and 3) upon the completion of the sale, terminate the Joint Powers Authority among the County, City of Los Angeles, and the California Science Center.	Senate Governmental Organization
SB 93	Kehoe	Support (State Update: 3/16/09)	Would require that before a redevelopment agency can pay for public works either inside or outside a project area, the agency's legislative body must make new findings of blight in a project area to spend money on a public facility inside the project area and certify that the public facility would remove blight. SB 93 would strengthen the provisions of current redevelopment law by adding further restrictions to the manner in which a redevelopment agency can spend diverted taxes.	Senate Floor
SB 113	Senate Local Gov Omnibus	One County-sponsored provision included (State Update: 4/10/09)	SB 113 is the Senate Local Government Omnibus bill, which contains one provision supported by the County: The provision would authorize a County Board of Supervisors to form a School Facilities Improvement District in an individual school district.	Senate Appropriations
SB 114	Liu	Support (State Update: 3/27/09)	Would create a simplified process to allow former foster youth to maintain Medi-Cal eligibility until age 21.	Senate Appropriations
SB 179	Runner	County-sponsored	Would streamline the appeals process for Termination of Parental Rights and promote the placement of children in adoptive homes by: 1) reducing the time period for a birth parent to file an appeal from 60 days to 30 days when the Juvenile Court orders the Termination of Parental Rights; 2) modifying the current process of serving the Termination of Parental Rights to birth parents by allowing the notice of termination and appeal rights documents to be served directly to the birth parents if they are present in court when the order is made; and 3) allowing the Termination of Parental Rights order to automatically take effect 180 days after the order is issued.	Assembly Desk

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 301	Florez	Support and amend to make more funds available for project implementation and construction and increase the funding available to the Los Angeles County region. (State Update: 4/10/09)	Would enact the Water Supply Reliability and Ecosystem Recovery Restoration Act of 2009, which would authorize the issuance of bonds in the amount of \$15 billion, subject to voter approval, to finance specified water supply reliability and ecosystem recovery and restoration programs.	Senate Natural Resources and Water
SB 337	Alquist	Support (State Update: 3/6/09)	Would repeal current State law, which requires semi-annual reporting to maintain Medi-Cal eligibility for children and reinstitute 12-month continuous Medi-Cal eligibility for children under 19 years of age. This change is necessary to ensure that the State qualifies to receive the temporary increase in the Federal Medical Assistance Percentage (FMAP) pursuant to the recently enacted H.R. 1, the American Recovery and Reinvestment Act. AB 23, SBX3 26, and SB 337 have been introduced as potential vehicles to repeal the semi-annual reporting requirement in order for the State to be eligible to receive additional FMAP funding.	Senate Health
SB 371	Cogdill	Support and amend to make more funds available for project implementation and construction and increase the funding available to the Los Angeles County region. (State Update: 4/10/09)	Would enact the Safe, Clean, Reliable Drinking Water Supply Act of 2009, which would authorize the issuance of bonds in the amount of \$9.98 billion, subject to voter approval, to finance specified water reliability and water source protection programs.	Senate Natural Resources
SB 456	Wolk	Support and amend to make more funds available for project implementation and construction and increase the funding available to the Los Angeles County region. (State Update: 4/10/09)	Would enact the Safe, Clean, Reliable Drinking Water Supply Act of 2010, which would authorize the issuance of bonds in the amount of \$9.805 billion, subject to voter approval, to finance specified water supply reliability and water source protection programs.	Senate Natural Resources

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 531	DeSaulnier	Oppose (State Update: 3/31/09)	Would make various changes to existing law regarding single-use carryout bags, including: 1) extending the sunset date, which prohibits local governments from imposing a fee on paper and plastic carryout bags from 2013 to 2018; 2) prohibiting local governments from banning or restricting plastic and paper carryout bags; 3) requiring plastic bag manufacturers to pay the State one-tenth of one cent (\$0.001) for each plastic carryout bag supplied to large supermarkets with a minimum annual gross of \$2 million and retail stores with a minimum of 10,000 square feet with a pharmacy; and 4) requiring the fees collected to be used for litter abatement activities.	Senate Environmental Quality
SB 696	Wright	Oppose unless amended to remove the broad and categorical California Environmental Quality Act exemption for the Southern California Air Quality Management District. (Board Action: 4/21/09)	Would: 1) overturn the Natural Resources Defense Council v. South Coast Air Quality Management District (SCAQMD) court decision; 2) exempt three SCAQMD rules from CEQA, if specified conditions are met; and 3) require the State Energy Resources Conservation and Development Commission to perform a needs assessment for a thermal power plant proposed to be located in the SCAQMD.	Senate Energy Utilities and Communications
SB 698	Negrete McLeod	Support (Board Action: 4/21/09)	Would change the allocation formula for juvenile court schools from the Average Daily Attendance to an enrollment-based model. Under the proposed daily enrollment model, the funding allocation would be based on a daily count of wards of the court in placement at a facility with a juvenile court school.	Senate Education
SB 735	Steinberg	Support and amend to make more funds available for project implementation and construction and increase the funding available to the Los Angeles County region. (State Update: 4/10/09)	Would enact the Safe, Clean, and Reliable Drinking Water Supply Act of 2010, which would authorize the issuance of bonds in the amount of \$9.785 billion, subject to voter approval, to finance a water supply reliability and water source protection program and authorize the Department of Water Resources to impose fees on water users.	Senate Natural Resources
SB 797	Pavley	Support (Board Action: 4/21/09)	Would prohibit the commercial manufacture, sale, or distribution of any bottle or cup, or any liquid, food, or beverage in a can or jar, containing Bisphenol-A at a level above 0.1 parts per billion, of the product is intended primarily for children three years of age or younger.	Senate Health

<u>BILL</u>	<u>AUTHOR</u>	<u>POSITION</u>	<u>SUBJECT</u>	<u>STATUS</u>
SB 816	Ducheny	Support (State Update: 4/16/09)	Would: 1) expand the list of State and local agencies to which an assessor is required to disclose information to include a county recorder when an investigation is being conducted to determine whether a documentary transfer tax is due; 2) allow a county board of supervisors to include an administrative appeals process for resolution of disputes related to the documentary transfer tax in an ordinance imposing such a tax; 3) require corporations or other legal entities to file a change in ownership statement within 45 days from the earlier of the date of the change in ownership or the date of a written request by the State Board of Equalization, or be faced with a penalty; and 4) eliminate the State Board of Equalization's existing authority to waive penalties.	Senate Revenue and Taxation
SBX3 24	Alquist	Support (State Update: 3/18/09)	Would suspend existing State law, which requires semi-annual reporting to maintain Medi-Cal eligibility for children under 19 years of age and temporarily reinstate 12-month continuous eligibility. This change is necessary to ensure that the State receives funding from the temporary increase in the Federal Medical Assistance Percentage (FMAP) pursuant to the recently enacted H.R. 1, the American Recovery and Reinvestment Act. The FMAP increase is available until December 31, 2010. The suspension of the semi-annual reporting requirement would remain in effect until the Director of the California Department of Health Care Services declares that increased FMAP funds are no longer available. Upon the declaration, semi-annual reporting would resume until July 1, 2012, and the current sunset date to repeal this requirement would be extended from January 1, 2012 to January 1, 2013, unless a later statute is enacted to delete or extend that date.	Chapter 24 of 2009
SBX3 26	Alquist	Support (State Update: 3/6/09)	Would repeal current State law, which requires semi-annual reporting to maintain Medi-Cal eligibility for children and reinstitute 12-month continuous Medi-Cal eligibility for children under 19 years of age. This change is necessary to ensure that the State qualifies to receive the temporary increase in the Federal Medical Assistance Percentage (FMAP) pursuant to the recently enacted H.R. 1, the American Recovery and Reinvestment Act. AB 23, SBX3 26, and SB 337 have been introduced as potential vehicles to repeal the semi-annual reporting requirement in order for the State to be eligible to receive additional FMAP funding.	Senate Rules